

6-20-01

A

Please type a plus sign (+) inside this box →

+

PTO/SB/05 (08/00)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

17616-856

First Inventor or Application Identifier

Sharkey, et al.

Title

Method of Treating Intervertebral Disc Tissue Employing
Attachment Mechanism

Express Mail Label No.

EL 713 754 486 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification [Total Pages 37]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed-Sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Detailed Description of the Drawings
 - Detailed Description
 - Claim(s)
4. ☒ Drawing(s) (37CFR 1.152) [Total Sheets 24]
5. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ Microfiche Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS) PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Statement Under 37 C.F.R. §1.10

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/792,628Prior application information: Examiner Not Yet AssignedGroup/Art Unit: Not Yet Assigned

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

021971

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

Name (Print/Type)

David J. Weitz

Registration No. (Attorney/Agent)

38,362

Signature

David J. Weitz

Date

June 18, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office,

C:\NrPortbl\PALIB1\AG2\1342446_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Hugh Sharkey, et al.) Group Art Unit: Not Yet Assigned
)
Application No. Not Yet Assigned) Examiner: Not Yet Assigned
)
Filed: Herewith)
)
For: METHOD OF TREATING)
INTERVERTEBRAL DISC TISSUE)
EMPLOYING ATTACHMENT)
MECHANISM)

STATEMENT UNDER 37 C.F.R. 1.10

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

I hereby certify that the attached patent application is being deposited with sufficient postage with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail Label No. EL 713 754 865 US, on June 18, 2001 addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Date: June 18, 2001 By: David J. Weitz
David J. Weitz
Registration No. 38,362

650 Page Mill Road
Palo Alto, California 94304
(650) 493-9300